**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE P.R.RAMAN**
**&**
**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929**

**WP(C).No. 12507 of 2007(L)**
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**PETITIONER:**
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**MERCY MATHEW, D/O MATHEW,**
**AGED 36 YEARS, SURYA MEDICALS,**
**PERUMANNOOR, KOCHI-15**
**REPRESENTED BY POWER OF ATTORNEY HOLDER**
**BROTHER BABY MATHEW.**

**BY ADV. SRI.A.BALAGOPALAN**
**SRI.BASIL MATHEW**

**RESPONDENTS:**
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1. **CHINNAMMA VARGHESE, W/O LATE VARGHESE, AGED 65, PLAKKAPPALLIL HOUSE, PERUMANNOOR, KOCHI-15.**

2. **CHERIAN VARGHESE, S/O LATE VARGHESE, AGED 45, PLAKKAPPALLIL HOUSE, PERUMANNOOR, KOCHI-15 A MENTALLY HANDICAPPED PERSON REPRESENTED HIS MOTHER CHINNAMMA VARGHESE.**

3. **VIJI VARGHESE, S/O LATE VARGHESE, PLAKKAPPALLIL HOUSE, PERUMANNOOR, KOCHI-15 REPRESENTED HIS POWER OF ATTORNEY HOLDER CHINNAMMA VARGHESE.**

4. **ANIMMA KURIAKOSE, D/O.LATE VARGHESE, PLAKKAPPALLIL HOUSE, PERUMANNOOR, KOCHI-15 REPRESENTED HIS POWER OF ATTORNEY HOLDER CHINNAMMA VARGHESE.**

**BY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**P.R.RAMAN & ANTONY DOMINIC, JJ.**
**==========**
**W.P.(C) NO. 12507 OF 2007**
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**Dated this the 11th day of April, 2007**

**J U D G M E N T**

**Raman, J.**

This writ petition is filed as an interim measure for stay of delivery of possession of the tenant's premises. Petitioner is a tenant, who was ordered to be evicted and finally the said order was confirmed in revision by this Court. As per order in RCR No.374/2006, time was however granted to give vacant possession of the premises. That has also expired. Petitioner contends that he has preferred SLP before the Supreme Court and the matter is coming up for consideration on 16/4/2007. He prays that till such time the SLP is considered, there may be stay of taking delivery. Since no relief could be granted in the writ petition, no interim relief could also be granted. When the matter has become final as far as this Court is concerned, it is for the petitioner to obtain stay from the Apex Court. Writ petition cannot be entertained. In such circumstances, writ petition is dismissed.

**P.R.RAMAN, JUDGE.**

Rp

**ANTONY DOMINIC, JUDGE.**